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2 UNITED STATES DISTRICT COURT  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT TACOMA

5 KEITH ADAIR DAVIS,

6 Plaintiff,

7 v.

8 WASHINGTON STATE  
9 DEPARTMENT OF CORRECTIONS,  
et al.,

Defendants.

CASE NO. C16-5129 BHS

ORDER EXTENDING DEADLINE  
FOR OBJECTIONS TO THE  
REPORT AND  
RECOMMENDATION UNTIL  
SEPTEMBER 15, 2017

10 This matter comes before the Court on the Report and Recommendation (“R&R”)  
11 of the Honorable David W. Christel, United States Magistrate Judge (Dkt. 119), and  
12 Plaintiff’s objections to the R&R (Dkt. 121).

13 The background and procedural history of this case is adequately set forth in the  
14 R&R. *See* Dkt. 119 at 2. The R&R was entered on July 25, 2017. Dkt. 119. On August 4,  
15 2017, Plaintiff filed a motion for reconsideration, or “objections” to the R&R, with a  
16 supporting declaration. Dkts. 121, 122.

17 The district judge must determine de novo any part of the magistrate judge’s  
18 disposition that has been properly objected to. The district judge may accept, reject, or  
19 modify the recommended disposition; receive further evidence; or return the matter to the  
20 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).  
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1 Plaintiff has not raised an actual objection to any aspect of the R&R. *See* Dkt. 121.  
2 Instead, Plaintiff complains that he has only received a cover sheet and one page of the  
3 R&R at the facility in which he is incarcerated, and that he has a pending grievance to  
4 obtain the remaining pages. *Id.* at 3–4. He has also listed factors allegedly contributing to  
5 his failure to timely participate in proceedings before Judge Christel. *Id.* at 2–4. It should  
6 be noted, however, that Judge Christel excused the untimeliness of Plaintiff’s filings in  
7 opposition to summary judgment and gave them due consideration. *See* Dkt. 119 at 2 n.2.  
8 Also worth noting is the fact that, on August 22, 2017, after the filing of his “objection”  
9 to the R&R, Plaintiff was again relocated by the Washington Department of Corrections.  
10 Dkt. 123.

11 Due to Plaintiff’s statements that he has not yet received the R&R, the Court will  
12 extend his deadline for filing objections to the R&R until September 15, 2017. Plaintiff’s  
13 motion for reconsideration of the R&R (Dkt. 121) will be terminated and the R&R will  
14 be re-noted for September 15, 2017. Failure to properly object to the R&R by that date  
15 will result in the Court adopting the R&R, entering judgment in favor of Defendants, and  
16 closing the case.

17 **IT IS SO ORDERED.**

18 Dated this 30th day of August, 2017.

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21 BENJAMIN H. SETTLE  
22 United States District Judge